

RESOLUTION NO. 2025-20

**Applicant:** Aughtney Khan

**Property:** 307 Fairview Avenue  
Block 1903, Lot 2

**Zone:** R-2 Residential Zoning District

**Application:** Minor Subdivision

**Whereas:** on November 18, 2025, the Applicant, Aughtney Khan, being represented by Emanuel Sanfilippo, III, Esquire of Nehman, Davis & Goldstein, PC, owner of the property located at 307 Fairview Avenue, Block 1903, Lot 2, which property is located in the R-2 Residential Zoning District, did appear before the Berlin Township Joint Planning/Zoning Board requesting Minor Subdivision approval for permission to subdivide 307 Fairview Avenue, Block 1903, Lot 2 into two (2) separate individual lots, to be preliminarily described as Lot 2.01, which will be a vacant lot and Lot 2.02 on which the existing residential single family home will remain unaltered; and

**Whereas;** the Applicant, in support of the application, presented a Plan of Minor Subdivision prepared by Patterson Engineering and Surveying, LLC, dated August 7, 2025 (Revision 1 dated 9/9/2025), Plan of Existing Conditions prepared by Patterson Surveying and Engineering, LLC dated July 16, 2025, and a copy of a Berlin Tree Permit, which was marked Exhibit A-1 at the time of the hearing, and gave testimony in support of the Application; and

**Whereas:** the Board has reviewed and considered that certain Review Letter dated October 11, 2025, 2025, prepared by Gregory B. Fusco, P.E., P.P., C.P.W.M., Township Engineer for Berlin Township, which made certain review comments and suggested

conditions of approval which the Board should consider and adopt; and

**Whereas:** the Board has determined that it has jurisdiction to hear the application and having considered public comments and concerns made at the hearing, and determining that the approval of a Minor Subdivision approval can be made with certain conditions, and notice of the hearing being sent and published according to the requirements set forth in the controlling statutes; and

**Whereas:** the Board has given careful consideration to the application and testimony of the Applicant that they will be bound by the comments and requirements set forth in the Review Letter dated October 11, 2025 and summation of the attorney for the Applicant; and has reviewed and considered the Review Letter dated February 11, 2025, prepared by the Township Engineer and finding that both proposed lots shall meet the bulk requirements listed for the R-2 Residential Zoning District, and it further appearing that the public was given an opportunity to question the Board and/or Applicant, and the only concern made was regarding off-street parking in the area.

**NOW THEREFORE, BE IT RESOLVED,**

A. The Applicant is granted a Minor Subdivision approval in order to subdivide 307 Fairview Avenue, Block 1903, Lot 2 into two (2) conforming lots as shown on the Plan of Minor Subdivision submitted, subject to the following conditions:

1. The Applicant shall grant a five (5) foot shade tree easement along both lots fronting on Fairview Avenue, to the Township of Berlin.

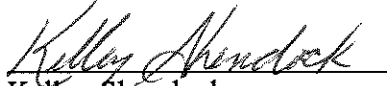
2. The Applicant shall not remove any trees in accordance with Section 200-150 of the Municipal Ordinance, which condition has been satisfied pursuant to Exhibit A-1 which has been made a part of this Application.

3. The Applicant shall comply with the Review Letter dated October 11, 2025, Paragraphs 3, 4, 5, and 8, Subsections a, b, c, and d, and conform their Plan accordingly.

4. The Applicant shall prepare and file a 12 ½ foot right-of-way easement along both lots facing Fairview Avenue, to the to the Township of Berlin.

5. This approval is also conditioned on the Applicant obtaining any and all other required Federal, State, or Local Municipal approvals.

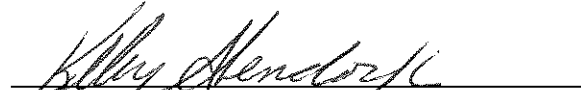
Attest:

  
Kelley Shendock  
Secretary

Township of Berlin Planning/Zoning Board

  
Craig DeGeorge  
Chairman

The undersigned, Secretary of the Township of Berlin Planning/Zoning Board, hereby certifies that the above is a true copy of a resolution adopted by the Board on the 16<sup>th</sup> day of December, 2025.

  
Kelley Shendock, Secretary  
Township of Berlin Planning/Zoning Board